

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

Civil Case No. 24-cv-12884
Honorable

vs.

Century Arms International Mini Draco
7.62x32mm Caliber Pistol Serial No. PE-
4984-2018 with Magazine and
Ammunition,

Defendants *in rem*.

COMPLAINT FOR FORFEITURE

NOW COMES Plaintiff, the United States of America, by and through Dawn Ison, United States Attorney for the Eastern District of Michigan, and Kelly Fasbinder, Assistant United States Attorney, and states upon information and belief in support of this Complaint for Forfeiture *in rem* that:

JURISDICTION AND VENUE

1. This is an *in rem* civil forfeiture action pursuant to 21 U.S.C. § 881(a)(11).
2. The Court has original jurisdiction over this proceeding pursuant to 28 U.S.C. § 1345 as this action is being commenced by the United States of America as Plaintiff.

3. This Court has *in rem* jurisdiction over this forfeiture action, pursuant to 28 U.S.C. § 1355(b)(1)(A) and (B), as the acts giving rise to the forfeiture occurred in the Eastern District of Michigan.

4. Venue is proper before this Court pursuant to 28 U.S.C. § 1391(b)(2), as a substantial part of the events or omissions giving rise to the Plaintiff's claims occurred in the Eastern District of Michigan.

5. Venue is also proper before this Court pursuant to 28 U.S.C. § 1395(b), as the Defendant *in rem* was found and seized in the Eastern District of Michigan.

DEFENDANTS *IN REM*

6. The Defendant *in rem* consists of and is specifically described as a Century Arms International Mini Draco 7.62x32mm Caliber Pistol Serial No. PE-4984-2018, and one 1.7.62x39 Caliber Magazine with 32 Rounds of 7.62x39mm Caliber Ammunition (CATS ID 22-DEA-689365).

7. Members of the Drug Enforcement Administration ("DEA") seized the Defendant *in rem* in Flint, Michigan on March 8, 2022.

8. The Defendant *in rem* is currently in the custody of the DEA.

STATUTORY BASIS FOR CIVIL FORFEITURE

9. Title 21 United States Code, Section 881(a)(11) authorizes the civil forfeiture of any firearm used or intended to be used to facilitate the transportation,

sale, receipt, possession, or concealment of controlled substances and any proceeds traceable to such property.

FACTUAL BASIS IN SUPPORT OF CIVIL FORFEITURE

10. The Defendant *in rem* was used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances and, therefore, is subject to civil forfeiture pursuant to 21 U.S.C. § 881(a)(11).

11. The facts and evidence in support of these assertions include, but are not limited to, the following:

- a. On March 1, 2022, the United States Postal Service interdicted a suspicious parcel destined for XXX1 Twilight Dr, Flint, MI.
- b. On March 3, 2022, a special agent with the United States Postal Inspection Service (USPIS) opened and searched the parcel pursuant to a federal search warrant. The search resulted in the discovery and seizure of approximately 3,508 grams of crystal methamphetamine, a Schedule II controlled substance.
- c. On March 8, 2022, a special agent with the USPIS placed a representative sample of the seized methamphetamine back into the subject parcel. Members of the USPIS and DEA conducted a controlled delivery of the parcel to the front porch of its intended

destination—XXX1 Twilight Dr. Flint, MI—where an occupant carried the parcel into the home.

- d. After the package was carried into the home, members of the Michigan State Police, USPIS, and DEA executed a federal search warrant at XXX1 Twilight Dr, Flint, MI.
- e. The loaded firearm was found in a bedroom between the box spring and mattress of the bed.

CLAIM

12. The United States hereby incorporates by reference, repeats and re-alleges, each and every allegation contained in Paragraphs 1 through 11 above, including their subparts.

13. The Defendant *in rem* is forfeitable to the United States of America under 21 U.S.C. § 881(a)(11) because it was used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances and any proceeds traceable to such property.

CONCLUSION AND RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

- (a) that a Warrant of Arrest for the Defendant *in rem* be issued;
- (b) that notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed;
- (c) that judgment be entered declaring that the Defendants *in rem* be

condemned and forfeited to the United States for disposition according to law; and

(d) that the United States be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

Dawn N. Ison
United States Attorney

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Dated: October 31, 2024

VERIFICATION

I, Conall Guckin, state that I am a Special Agent with the U.S. Drug Enforcement Administration. I have read the foregoing Complaint for Forfeiture and declare under penalty of perjury that the facts contained therein are true and correct based upon knowledge possessed by me and/or upon information received from other law enforcement agents.



Conall Guckin, DEA Special Agent

Dated: October 17, 2024